

1 **PHILIP J. TRENCHAK, ESQ.**

2 Nevada State Bar No. 009924

3 **MULLINS & TRENCHAK, ATTORNEYS AT LAW**

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9 Attorney for Plaintiffs

10 **UNITED STATES DISTRICT COURT**

11 **DISTRICT OF NEVADA**

12 SHANNON STAHL, an individual,
13 SEAN PAGE, an individual,

14 Plaintiff,

15 vs.

16 THE PRIMADONNA COMPANY, LLC, dba
17 PRIMM VALLEY RESORT AND CASINO,

18 Defendants.

CASE NO.:

19 **COMPLAINT**
20 **(Jury Demanded)**

21 1.) Discrimination Based on Race, Color, National
22 Origin, Gender or Age in violation of State and
23 Federal Statutes
24 2.) Discrimination based on Gender/Sexual
25 Harassment in violation of Federal Statutes
26 3.) Retaliation under Federal Law, 42 U.S.C. §
27 2000e-3 and Nevada State Law, NRS 613.340
28 4.) Violation of The Federal Fair Housing Act, 42
U.S.C. 3601 et. seq. & Violation of Nevada Revised
Statute (NRS) chapter 118 - Discrimination in
Housing; Landlord and Tenant

21 **COMPLAINT**

22 Plaintiff, SHANNON STAHL and SEAN PAGE (hereinafter "Plaintiffs") by and through
23 their attorney PHILIP J. TRENCHAK, Esq., of MULLINS AND TRENCHAK ATTORNEYS AT
24 LAW, hereby brings suit against THE PRIMADONNA COMPANY, LLC, dba PRIMM VALLEY
25 RESORT AND CASINO, (hereinafter "Defendant," "Primm Valley," and/or "Primm"), and avers and
26 alleges as follows:
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28

JURISDICTION

1
2 1. This is an action for damages arising under Title VII of the Civil Rights Act of 1964 ("Title VII"),
3 42 U.S.C. §2000e to 2000e-17 (retaliation), workplace harassment, Retaliation under Federal and State
4 Laws and Violation of state and Federal Fair Housing Laws.

5 2. This Court has primary jurisdiction over claims set forth herein pursuant to 28 U.S.C. § 1331
6 (federal question), 28 U.S.C. §1343(a)(4) (civil rights action) and 42 U.S.C. §2000e-5(f)(3) (unlawful
7 discrimination and retaliation in employment). This Court has supplemental jurisdiction over any state
8 law claims pled herein pursuant to 28 U.S.C. §1367.

9 3. All material allegations relative to the named Defendant contained in this Complaint are believed
10 to have occurred in the State of Nevada, Clark County. Therefore, venue properly lies in the southern
11 division of the United States Court for the District of Nevada pursuant to 28 U.S.C. §1391(b)(2).

EXHAUSTION OF ADMINISTRATIVE REMEDY

12
13 4. Plaintiffs initiated the process of filing a Charge of Discrimination against their former employer,
14 the Defendant named in this action, with the United States Equal Opportunity Commission ("EEOC")
15 wherein Plaintiffs alleged discrimination and retaliation as a continuing action. This was done within 300
16 days of the incident giving rise to this complaint.

17 5. Thereafter, Plaintiffs' attorney received Parties' Notice of Right to Sue from the U.S. Equal
18 Employment Opportunity Commission. Please see attached Exhibit A & B.

19 6. This action is being filed within 90 days of the EEOC "Right to Sue" Letters being received by
20 Plaintiff. Therefore this action is timely.

21 7. Plaintiffs have exhausted their administrative remedy on all claims pled hereunder prior to filing
22 this action with this Court.

PARTIES

23
24 8. Plaintiffs are, and were, at all times material to this action, individuals, residing in the State of
25 Nevada, employed by Defendant.

26 9. Plaintiff, Shannon Stahl, is a Native American female who was employed as a cocktail waitress
27 by Defendant.

28 10. Plaintiff, Sean Page, is a Caucasian male over the age of forty (40) employed as a bartender by

1 Defendant.

2 11. Plaintiffs are informed and believe, and thereupon allege, that Defendant THE PRIMADONNA
3 COMPANY, LLC, dba PRIMM VALLEY RESORT AND CASINO is and was at all times material to
4 this action, a Domestic Limited-Liability Company, duly authorized to transact, and in fact transacting
5 business in the County of Clark, State of Nevada.

6 **GENERAL ALLEGATIONS**

7 12. Plaintiff, Shannon Stahl, was living in the employee housing facility, Ms. Stahl lived with her two
8 (2) daughters in Defendant's employee housing facility (employee apartments), and plaintiff, Mr. Sean
9 Page, lived in his own unit in the employee apartments.

10 13. It was well-known that Plaintiffs were involved in a romantic relationship.

11 14. On September 4, 2019, a man was shot six (6) times in the employee apartments at the Primm
12 Resort.

13 15. At that time, Plaintiffs were living in the employee apartments.

14 16. Bullets went through the walls of Shannon Stahl's apartment.

15 17. Shannon Stahl's daughters endured approximately one full year of being referred to as "Indian
16 Bitch," "Stupid Indian Bitch," and "Dirty Indian Bitch."
17

18 18. Shannon Stahl's daughters were also physically threatened.

19 19. Shannon Stahl's daughters had bottles of water thrown at them.

20 20. Shannon Stahl had made numerous complaints to the Primm Security and the school regarding
21 the malicious treatment and bullying that her daughters were forced to endure.
22

23 21. This treatment would begin on the bus ride to school in the morning, would continue at school,
24 and then persisted all the way home on the school bus.
25

26 22. The girls that treated Ms. Stahl's daughters in this fashion were African-American.

27 23. These conflicts between Ms. Stahl's children and the African-American children in the employee
28 apartments was ongoing.

1 24. On or about October 12, 2019, Sean Page was taken away from his position he has held for over
2 twenty (20) years, for questioning about a resolved criminal charge that his employer was well aware of,
3 after security allegedly ran background checks on certain individuals that lived in employee housing.

4 25. Mr. Page's employer was well aware of the criminal conviction, and had made a written statement
5 to Gaming, informing Gaming that they were aware of the criminal conviction, and wished to continue
6 to employ Mr. Page.

7 26. This Representation made by Defendant, allowed Mr. Page to keep his Sheriff's Card, and
8 continue to work for Defendant as a bartender.

9 27. On or about October 14, 2019, one of Ms. Stahl's daughters had a physical altercation on the
10 school bus with one of the African-American young ladies.

11 28. This female African-American young lady's mother was not employed at Primm, and was staying
12 with individuals that were employed at Defendant's business.

13 29. On or about October 16, 2019, Plaintiffs, and Shannon Stahl's daughter inclusive, were given a
14 five (5) day notice to vacate employee housing.

15 30. On or about October 18, 2019 Plaintiff, Sean Page, was suspended from work pending
16 investigation allegedly based upon the criminal conviction that Defendant was well aware of.

17 31. On or about October 21, 2019, Plaintiffs moved out of the employee apartments.

18 32. On or about November 5, 2019, Sean Page had had no communication from the Beverage
19 Department, and/or Human Resources.

20 33. On or about November 5, 2019, Sean Page went to Human Resources in person, and was handed
21 a check and told that he was terminated.

22 34. Mr. Page was not given an explanation or documentation regarding his termination after over
23 twenty (20) years of employment with Defendant.

24 35. Shannon Stahl was still employed but was forced to endure the hardship imposed, because she
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1 struggled to meet the extra board shift requirements, because she was living thirty-five (35) miles away
2 and was without a car or a driver's license.

3 36. Ms. Stahl was terminated on or about May 22, 2020.

4 37. That as a result of Defendant's actions, Plaintiffs have suffered economic damages.

5 38. Plaintiff suffered additional damages set forth in this complaint.
6

7 **FIRST CAUSE OF ACTION**
8 **(Discrimination National Origin, Race, and gender in violation of State and Federal Statutes)**

9 39. Plaintiffs incorporate all of the allegations in the preceding paragraphs as though fully set forth
10 herein.

11 40. Plaintiff, Shannon Stahl, is a member of the class of persons protected by state and federal statutes
12 prohibiting discrimination based on race, national origin, and gender, or a combination thereof.

13 41. Ms. Stahl is a female and she is of Native American ancestry.

14 42. Plaintiff, Sean Page, is a member of the class of persons protected by state and federal statutes
15 prohibiting discrimination based on race, national origin, and gender, or a combination thereof.
16

17 43. Mr. Sean Page is a Caucasian male over the age of forty (40).

18 44. Mr. Sean Page was discriminated upon due to his association with Shannon Stahl and her Native
19 American children.

20 45. Mr. Sean Page was terminated without reason, after Ms. Stahl's daughter was in a physical
21 altercation, with an African-American young lady.
22

23 46. Ms. Shannon Stahl was terminated on or about May 22, 2020, and remains terminated, as of the
24 date of this complaint.

25 47. Defendant, as an employer, is subject to Nevada and federal statutes prohibiting discrimination,
26 NRS 613.330 et. seq. and Title VII, 42 U.S.C. § 2000e et. seq. as amended and thus, has a legal obligation
27 to provide Plaintiff and all employees, a workplace free of unlawful discrimination.
28

1 48. Defendant refused to take reasonably adequate steps to prevent discrimination against Plaintiffs
2 to disparate terms of employment.

3 49. Defendant discriminated against Plaintiffs when it retained as employees, individuals who
4 subjected Plaintiffs to discrimination in the workplace.

5 50. No other similarly situated persons, not of Plaintiffs' protected class were subject to the same or
6 substantially similar conduct.

7 51. Plaintiffs suffered adverse economic impact including but not limited to loss of pay, benefits,
8 expenses and other damages which will be more fully described at the time of trial.

9 52. Plaintiffs were embarrassed, humiliated, angered and discouraged by the discriminatory actions
10 taken against them.

11 53. Plaintiffs suffered and continues to suffer compensable emotional and physical harm, including
12 but not limited to, headaches, sleeplessness, anxiety and depression resulting from this unlawful
13 discrimination by her employer.

14 54. Plaintiffs are entitled to be fully compensated for her emotional disturbance by being forced to
15 endure this discrimination.

16 55. Pursuant to 1991 Amendments to title VII, Plaintiffs are entitled to recover punitive damages for
17 Defendant's malicious, intentional repeated violations of federal and state civil rights laws.
18 Discrimination based on race has been illegal since 1964 and an employer of the size, reputation and
19 experience of Defendant should have not engaged in this blatant discrimination.

20 56. Plaintiffs suffered damages in an amount deemed sufficient by the jury.

21 57. Plaintiffs are entitled to an award of reasonable attorney's fees.

22 58. Defendant is guilty of oppression, fraud or malice, express or implied as Defendant knowingly
23 and intentionally discriminated against Plaintiff because of her gender.

24 59. Therefore, Plaintiffs are entitled to recover damages for the sake of example, to deter other
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1 employers from engaging in such conduct and by way of punishing the Defendant in an amount deemed
2 sufficient by the jury.

3 **SECOND CAUSE OF ACTION**

4 **(Discrimination based on Gender/Sexual Harassment in violation of Federal Statutes)**

5 **On behalf of Plaintiff-Shannon Stahl only**

6 60. Plaintiff, Shannon Stahl, incorporates all of the allegations in the preceding paragraphs as though
7 fully set forth herein.

8 61. Plaintiff, Shannon Stahl, is a female, and therefore, is a member of the class of persons protected
9 by federal statutes prohibiting discrimination based on gender.

10 62. Defendant, as an employer, is subject to federal statutes prohibiting discrimination, Title VII, 42
11 U.S.C. § 2000e et. seq. as amended and thus, has a legal obligation to provide Plaintiff and all employees
12 a workplace free of unlawful discrimination.

13 63. Defendant refused to take reasonably adequate steps to prevent discrimination against Plaintiff to
14 disparate terms of employment based upon gender.

15 64. Plaintiff was continually subjected to sexual harassment and complained of that harassment to
16 management.

17 65. Defendant did not remedy the harassment.

18 66. Defendant was made aware of the sexual harassment described herein.

19 67. Defendant allowed sexual harassment to continue.

20 68. Defendant appeared to simply inform the offending managers that a complaint was made without
21 any corrective action.

22 69. This lack of corrective action and plotting against Plaintiff will inevitably be revealed in
23 Discovery.

24 70. Defendant allowed the individuals committing the sexual harassment to show open hostility after
25 the harassment was complained about to members of management.
26
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1 71. Defendant discriminated against Ms. Stahl when Defendant retained as employees, managers who
2 continued to subject Plaintiff to discrimination in the workplace throughout the entirety of her term of
3 employment with Defendant.

4 72. No other similarly situated persons, not of Ms. Stahl's protected class, were subject to the same
5 or substantially similar treatment.

6 73. Plaintiff, Shannon Stahl, suffered adverse economic impact including but not limited to loss of
7 pay, benefits, expenses and other damages which will be more fully described at the time of trial.

8 74. Plaintiff, Shannon Stahl, was embarrassed, humiliated, angered and discouraged by the
9 discriminatory actions taken against her.

10 75. Plaintiff, Shannon Stahl, suffered and continues to suffer compensable emotional and physical
11 harm, including but not limited to, headaches, sleeplessness, anxiety, depression, and a complication of
12 her known medical condition resulting from this unlawful discrimination by her employer.

13 76. Plaintiff, Shannon Stahl, is entitled to be fully compensated for her emotional disturbance by being
14 forced to endure this discrimination.

15 77. Pursuant to 1991 Amendments to title VII, Plaintiff is entitled to recover punitive damages for
16 Defendant's malicious, intentional repeated violations of federal and state civil rights laws.
17 Discrimination based on gender has been illegal since 1964 and an employer of the size, reputation and
18 experience of Defendant should have not engaged in this blatant discrimination.

19 78. Plaintiff, Shannon Stahl, suffered damages in an amount to be deemed sufficient by the jury.

20 79. Plaintiff, Shannon Stahl, is entitled to an award of reasonable attorney's fees.

21 80. Defendant is guilty of oppression, fraud or malice, express or implied as Defendant knowingly
22 and intentionally discriminated against Plaintiff because of her gender.

23 81. Therefore, Plaintiff, Shannon Stahl, is entitled to recover damages for the sake of example, to
24 deter other employers from engaging in such conduct and by way of punishing the Defendant in an
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1 amount deemed sufficient by the jury.

2
3 **THIRD CAUSE OF ACTION**

4 **(Retaliation under Federal Law, 42 U.S.C. § 2000e-3 and Nevada State Law, NRS 613.340)**

5 82. Plaintiffs incorporate all of the allegations in the preceding paragraphs as though fully set forth
6 herein.

7 83. In violation of 42 U.S.C § 2000e-3, Defendant retaliated against Plaintiffs after Plaintiffs
8 complained of acts which they reasonably believed were discriminatory.

9 84. In violation of NRS 613.340 Defendant retaliated against Plaintiffs after they complained of acts
10 which they reasonably believed were discriminatory.

11 85. The behavior complained of also constitutes retaliatory harassment and the creation of an illegally
12 hostile environment.

13 86. There may be more detrimental acts of which Plaintiffs are unaware which may also constitute
14 retaliation in that it harmed Plaintiff in her workplace.

15 87. The aforementioned actions and conduct by Defendant, constitute illegal retaliation which is
16 prohibited by federal and state statutes.

17 88. Plaintiffs have been seriously harmed, economically and emotionally by this unlawful retaliation
18 and she is entitled to be fully compensated therefor.

19 89. Plaintiffs, have had to engage in the services of attorneys for representation in this matter and is
20 entitled to an award of reasonable attorneys' fees.

21 **FOURTH CAUSE OF ACTION**

22 **(Violation of The Federal Fair Housing Act, 42 U.S.C. 3601 et. seq. and Violation of Nevada
23 Revised Statute (NRS) Chapter 118 - Discrimination In Housing; Landlord And Tenant)**

24 90. Plaintiffs incorporates all of the allegations in the preceding paragraphs as though fully set forth
25 herein.

26 91. Plaintiff Shannon Stahl, is a member of the class of persons protected by state and federal statutes
27
28

1 prohibiting discrimination based on race, national origin, and gender, or a combination in the housing of
2 said protected class of individual.

3 92. Ms. Stahl is a female and she is Native American as well.

4 93. Plaintiff Sean Page, is a member of the class of persons protected by state and federal statutes
5 prohibiting discrimination based on race, and gender, or a combination in the housing of said individual.
6

7 94. Mr. Sean Page is a Caucasian male over the age of forty (40).

8 95. Mr. Sean Page was discriminated upon due to his association with Shannon Stahl, being the
9 romantic partner of Ms. Stahl, and living with Ms. Stahl and her Native American children.

10 96. That Plaintiffs were evicted as a consequence of the protected group status that Ms. Stahl and her
11 children are members of.

12 97. That African-American individuals were allowed to remain in the employee housing without
13 consequence after Ms. Stahl's daughters, and each of them were bullied and referred to as "Indian Bitch,"
14 "Stupid Indian Bitch," and "Dirty Indian Bitch" for over a year.
15

16 98. That an African-American female child and her family were allowed to remain in the employee
17 housing without consequence after Ms. Stahl's daughter had a physical altercation with said child.
18

19 99. That said unwarranted eviction was unlawful and was based upon the race, national origin, and
20 gender of Ms. Stahl and her daughters.

21 100. Plaintiff have been seriously harmed, economically and emotionally by this unlawful
22 retaliation and she is entitled to be fully compensated therefor.

23 101. Plaintiffs had to engage in the services of attorneys for representation in this matter and is
24 entitled to an award of reasonable attorneys' fees.
25

26 ///

27 ///

1 **WHEREFORE**, Plaintiff prays for relief against Defendants, each of them, as follows:

2 **ON ALL CAUSES OF ACTION**

- 3 1. For compensatory damages in the principal amount in excess of seventy-five thousand
4 dollars (\$75,000.00) to be proven at trial;
- 5 2. For punitive damages in the principal amount in excess of seventy-five thousand dollars
6 (\$75,000.00) to be proven at trial;
- 7 3. For special damages in the principal amount in excess of seventy-five thousand dollars,
8 (\$75,000.00) to be proven at trial;
- 9 4. For attorney's fees and costs incurred;
- 10 5. For all damages in an amount to be proved at trial;
- 11 6. For costs of suit herein incurred;
- 12 7. For reasonable interest on amounts due; and
- 13 8. For any such other and further relief as this Court deems just and proper.

14
15
16 DATED this 21st day of October, 2020.

17
18
19 **MULLINS & TRENCHAK, ATTORNEYS AT LAW**

20 /s/Philip J. Trenchak

21 _____
22 Philip J. Trenchak, Esq.
23 Nevada Bar No. 9924
24 1614 South Maryland Pkwy
25 Las Vegas, NV 89104
26
27
28

PLAINTIFF'S JURY DEMAND

Plaintiffs, by and through her attorneys of record, PHILIP J. TRENCHAK, ESQ. of the law firm MULLINS & TRENCHAK, ATTORNEYS AT LAW, respectfully submits this Demand for Jury pursuant FRCP 38 in the above captioned matter.

DATED this 21st day of October 2020.

MULLINS & TRENCHAK, ATTORNEYS AT LAW

/s/ Phil Trenchak
PHILIP J. TRENCHAK, ESQ.
Nevada State Bar No. 009924
1614 S. Maryland Parkway
Las Vegas, Nevada 89104
P: (702) 778-9444
F: (702) 778-9449
E: phil@mullinstrenchak.com
Attorney for Plaintiffs

Exhibit A
Right to Sue Notice
Shannon Stahl

EEOC Form 181-B (11/16)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Shannon Stahl
PO Box 20167
Jean, NV 89019

From: Las Vegas Local Office
333 Las Vegas Blvd South
Suite 5560
Las Vegas, NV 89101

☐

On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

487-2020-01676

Kathryn Gibson,
Investigator

(702) 388-5013

(See also the additional information enclosed with this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA): This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA must be filed in a federal or state court **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

☐

More than 180 days have passed since the filing of this charge.

☒

Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of this charge.

☒

The EEOC is terminating its processing of this charge.

☐

The EEOC will continue to process this charge.

Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, the paragraph marked below applies to your case:

☐

The EEOC is closing your case. Therefore, your lawsuit under the ADEA must be filed in federal or state court **WITHIN 90 DAYS** of your receipt of this Notice. Otherwise, your right to sue based on the above-numbered charge will be lost.

☐

The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of the charge, you may file suit in federal or state court under the ADEA at this time.

Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission

Tamara

M. West

Tamara M. West,
Local Office Director

Digitally signed by Tamara M. West
DN: cn=Tamara M. West, o=EEOC,
ou=Director-LVLO,
email=tamara.west@eoc.gov,
c=US
Date: 2020.08.20.09:55:07-07'00'
(Date Valid)

Enclosures(s)

cc:

Marc Rubinstein
Exec VP and General Counsel
Affinity Gaming
3755 Break Through Way
Las Vegas, NV 89135

Philip J. Trenchak, Esq.
MULLINS & TRENCHAK, ATTORNEYS AT LAW
1614 S. Maryland Pkwy
Las Vegas, NV 89104

Enclosure with EEOC
Form 161-B (11/16)

**INFORMATION RELATED TO FILING SUIT
UNDER THE LAWS ENFORCED BY THE EEOC**

*(This information relates to filing suit in Federal or State court under Federal law.
If you also plan to sue claiming violations of State law, please be aware that time limits and other
provisions of State law may be shorter or more limited than those described below.)*

**PRIVATE SUIT RIGHTS -- Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA),
the Genetic Information Nondiscrimination Act (GINA), or the Age
Discrimination in Employment Act (ADEA):**

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge within 90 days of the date you receive this Notice. Therefore, you should **keep a record of this date**. Once this 90-day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and its envelope, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed **within 90 days of the date this Notice was mailed to you** (as indicated where the Notice is signed) or the date of the postmark, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Courts often require that a copy of your charge must be attached to the complaint you file in court. If so, you should remove your birth date from the charge. Some courts will not accept your complaint where the charge includes a date of birth. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment: back pay due for violations that occurred **more than 2 years (3 years) before you file suit** may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/08 to 12/1/08, you should file suit before 7/1/10 – not 12/1/10 – in order to recover unpaid wages due for July 2008. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice and within the 2- or 3-year EPA back pay recovery period.

ATTORNEY REPRESENTATION -- Title VII, the ADA or GINA:

If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do not relieve you of the requirement to bring suit within 90 days.

ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, **please make your review request within 6 months of this Notice**. (Before filing suit, any request should be made within the next 90 days.)

IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.

Exhibit B
Right to Sue Notice
Sean Page

EEOC Form 161-B (11/16)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: **Sean Page**
c/o MULLINS & TRENCHAK, ATTORNEYS AT LAW
Attn: Phillip Trenchak
1614 S. Maryland Pkwy.
Las Vegas, NV 89104

From: **Las Vegas Local Office**
333 Las Vegas Blvd South
Suite 5560
Las Vegas, NV 89101



On behalf of person(s) aggrieved whose identity is
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

487-2020-00527

Ruth I. Ibarra,
Investigator

(702) 388-5085

(See also the additional information enclosed with this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA): This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA **must be filed in a federal or state court WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)



More than 180 days have passed since the filing of this charge.



Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of this charge.



The EEOC is terminating its processing of this charge.



The EEOC will continue to process this charge.

Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, **the paragraph marked below applies to your case:**



The EEOC is closing your case. Therefore, your lawsuit under the ADEA **must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice**. Otherwise, your right to sue based on the above-numbered charge will be lost.



The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of the charge, you may file suit in federal or state court under the ADEA at this time.

Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible**.

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission

Tamara

Digitally signed by Tamara M. West

DN: cn=Tamara M. West, o=EEOC,

ou=Director-LVLO,

email=tamara.west@eepc.gov, c=US

Date: 2020.07.22 08:11:00 -0700

Enclosures(s)

M. West

Tamara M. West,
Local Office Director

(Date Mailed)

CC:

Debbie Fetzner
Human Resources Director
PRIMM VALLEY RESORT AND CASINO
701 S Carson St Ste 200
Washoe Valley, NV 89701

Enclosure with EEOC
Form 161-B (11/16)

**INFORMATION RELATED TO FILING SUIT
UNDER THE LAWS ENFORCED BY THE EEOC**

*(This information relates to filing suit in Federal or State court under Federal law.
If you also plan to sue claiming violations of State law, please be aware that time limits and other
provisions of State law may be shorter or more limited than those described below.)*

**PRIVATE SUIT RIGHTS -- Title VII of the Civil Rights Act, the Americans with Disabilities Act (ADA),
the Genetic Information Nondiscrimination Act (GINA), or the Age
Discrimination in Employment Act (ADEA):**

In order to pursue this matter further, you must file a lawsuit against the respondent(s) named in the charge within 90 days of the date you receive this Notice. Therefore, you should **keep a record of this date**. Once this 90-day period is over, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and its envelope, and tell him or her the date you received it. Furthermore, in order to avoid any question that you did not act in a timely manner, it is prudent that your suit be filed **within 90 days of the date this Notice was mailed to you** (as indicated where the Notice is signed) or the date of the postmark, if later.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. (Usually, the appropriate State court is the general civil trial court.) Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. Filing this Notice is not enough. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Courts often require that a copy of your charge must be attached to the complaint you file in court. If so, you should remove your birth date from the charge. Some courts will not accept your complaint where the charge includes a date of birth. Your suit may include any matter alleged in the charge or, to the extent permitted by court decisions, matters like or related to the matters alleged in the charge. Generally, suits are brought in the State where the alleged unlawful practice occurred, but in some cases can be brought where relevant employment records are kept, where the employment would have been, or where the respondent has its main office. If you have simple questions, you usually can get answers from the office of the clerk of the court where you are bringing suit, but do not expect that office to write your complaint or make legal strategy decisions for you.

PRIVATE SUIT RIGHTS -- Equal Pay Act (EPA):

EPA suits must be filed in court within 2 years (3 years for willful violations) of the alleged EPA underpayment: back pay due for violations that occurred **more than 2 years (3 years) before you file suit** may not be collectible. For example, if you were underpaid under the EPA for work performed from 7/1/08 to 12/1/08, you should file suit before 7/1/10 – not 12/1/10 -- in order to recover unpaid wages due for July 2008. This time limit for filing an EPA suit is separate from the 90-day filing period under Title VII, the ADA, GINA or the ADEA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA or the ADEA, in addition to suing on the EPA claim, suit must be filed within 90 days of this Notice and within the 2- or 3-year EPA back pay recovery period.

ATTORNEY REPRESENTATION -- Title VII, the ADA or GINA:

If you cannot afford or have been unable to obtain a lawyer to represent you, the U.S. District Court having jurisdiction in your case may, in limited circumstances, assist you in obtaining a lawyer. Requests for such assistance must be made to the U.S. District Court in the form and manner it requires (you should be prepared to explain in detail your efforts to retain an attorney). Requests should be made well before the end of the 90-day period mentioned above, because such requests do not relieve you of the requirement to bring suit within 90 days.

ATTORNEY REFERRAL AND EEOC ASSISTANCE -- All Statutes:

You may contact the EEOC representative shown on your Notice if you need help in finding a lawyer or if you have any questions about your legal rights, including advice on which U.S. District Court can hear your case. If you need to inspect or obtain a copy of information in EEOC's file on the charge, please request it promptly in writing and provide your charge number (as shown on your Notice). While EEOC destroys charge files after a certain time, all charge files are kept for at least 6 months after our last action on the case. Therefore, if you file suit and want to review the charge file, **please make your review request within 6 months of this Notice**. (Before filing suit, any request should be made within the next 90 days.)

IF YOU FILE SUIT, PLEASE SEND A COPY OF YOUR COURT COMPLAINT TO THIS OFFICE.

District of Nevada

Civil Action No.

Signature of Clerk or Deputy Clerk

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Shannon Stahl and Sean Page

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
Philip J. Trenchak, Esq.
1614 S. Maryland Pkwy., LV, NV 89104
(702)778-9444

DEFENDANTS

The Primadonna Company, LLC dba Primm Valley Resort and Casino

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question
(U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input checked="" type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	
		LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act		
		IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions		

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 USC 1343(a)(4) - 42 USC 2000 e-5 (f)(3)

Brief description of cause:
Unlawful discrimination and retaliation in employment

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$
75,000.00

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE _____

DOCKET NUMBER _____

DATE

10/21/2020

SIGNATURE OF ATTORNEY OF RECORD

Philip J. Trenchak

FOR OFFICE USE ONLY

RECEIPT # _____

AMOUNT _____

APPLYING IFP _____

JUDGE _____

MAG. JUDGE _____